IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 21571 of 2007(R)

PETITIONER:

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1. T.I.SARAMMA, W/O.C.V.CHERU,
AGED 66, CHERUVATHOOR HOUSE, PAREMBADAM,
AGATHIYOOR, KUNNAMKULAM.

2. K.P.PAILUNNY, SEEHA TRAVELS,
KUNNAMKULAM.

3. C.V.MATHEWS, CHEERAN HOUSE,
THEKKEPURAM, KUNNAMKULAM.

4. C.A.SURESH, CHITTANJOOR HOUSE,
CHITTANJOOR, KUNNAMKULAM.

BY ADV. SRI.T.K.VENUGOPALAN
SRI.SHIBU JOSEPH

RESPONDENTS:

THE SECRETARY, KUNNAMKULAM MUNICIPALITY,
KUNNAMKULAM.

BY ADV. SRI.GRASHIOUS KURIAKOSE

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/07/2007 ALONG WITH W.P.C.NO.22589/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P.C.NO.21571/07

PETITIONER'S EXHIBITS

EXT.P1	TRUE COPY OF THE OBJECTION DTD. 29-07-1999
EXT.P2	TRUE COPY OF THE JUDGMENT IN O.P.20219/99
EXT.P3	TRUE COPY OF THE RECEIPT DTD. 10-1-06 EVIDENCING PAYMENT OF TAX OF RS. 10
EXT.P3(A)	TRUE COPY OF THE RECEIPT DTD. 26-8-06
EXT.P3(B)	TRUE COPY OF THE RECEIPT DTD. 20-2-06
EXT.P3(C)	TRUE COPY OF THE RECEIPT DTD. 28-12-06
EXT.P3(D)	TRUE COPY OF THE RECEIPT DTD. 23-12-06
EXT.P3(E)	TRUE COPY OF THE RECEIPT DTD. 27-2-06
EXT.P3(F)	TRUE COPY OF THE RECEIPT DTD. 17-2-07
EXT.P3(G)	TRUE COPY OF THE RECEIPT DTD. 17-2-07
EXT.P4(A)	TRUE COPY OF THE NOTICE DTD. 29-6-07 AND RECEIVED ON 09-07-2007 TO THE 2ND PETITIONER.
EXT.P4(B)	TRUE COPY OF THE NOTICE DTD. 29-6-07 AND RECEIVED ON 09-07-2007 TO THE THIRD RESPONDENT.
EXT.P4(C)	TRUE COPY OF THE NOTICE DTD. 29-6-07 AND RECEIVED ON 09-07-2007 TO THE FOURTH RESPONDENT.
EXT.P5	TRUE COPY OF THE OBJECTION FILED BY THE PETITIONERS DTD.10-07-2007

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).NOs.21571 & 22589 OF 2007

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Dated this the 23rd day of July, 2007

JUDGMENT

Petitioners in these writ petitions seek to quash the notices issued by the respondent- Municipality dated 29-06-2007. Learned counsel for the respondent points out that the impugned proceedings are appealable before the Council.

In such circumstances, I think that the petitioners should be relegated to pursue the alternate remedy of appeal. These writ petitions are disposed of relegating the petitioners to pursue the alternate remedy of appeal before the Council of the respondent-Municipality within the period of limitation. If the appeals are so filed, petitioners will be afforded an opportunity of hearing and a decision will be taken on the same by the appellate forum of the respondent-Municipality. If the appeals are filed within time, proceedings will be kept in abeyance will a decision is taken in the appeals.

(K.M.JOSEPH, JUDGE)

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